

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA**

|                                    |   |                                 |
|------------------------------------|---|---------------------------------|
| <b>ROBERT M. HINES,</b>            | ) |                                 |
| <b>PLAINTIFF,</b>                  | ) |                                 |
|                                    | ) |                                 |
| <b>vs.</b>                         | ) | <b>CASE No. 10-CV-4-GKF-FHM</b> |
|                                    | ) |                                 |
| <b>TERRA INDUSTRIES, INC., and</b> | ) |                                 |
| <b>TERRA NITROGEN, LIMITED</b>     | ) |                                 |
| <b>PARTNERSHIP,</b>                | ) |                                 |
| <b>DEFENDANTS.</b>                 | ) |                                 |

**OPINION AND ORDER**

Defendants' Motion to Compel Discovery [Dkt. 46] is before the Court for decision. Plaintiff has filed a response. [Dkt. 48]. No reply has been filed.

Defendants seek Plaintiff's federal and state income tax returns for 2005 through 2010. Defendants contend the documents are relevant to Plaintiff's claim for lost wages.

Plaintiff responds that he has provided his W-2 forms reflecting his earned income for 2003 through 2008, that he returned to work on October 21, 2008, and is not seeking any future wage loss.

The Court finds that, in light of Plaintiff's production of his W-2 forms for the relevant time period, Defendants have not shown that the requested tax returns contain any relevant non-duplicative information.

Defendants' Motion to Compel Discovery [Dkt. 46] is DENIED.

SO ORDERED this 26th day of October, 2010.

  
**FRANK H. MCCARTHY**  
**UNITED STATES MAGISTRATE JUDGE**